

1 HOUSE JOINT MEMORIAL 48
2 **47TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2006**

3 INTRODUCED BY
4 Roberto J. "Bobby" Gonzales
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10 A JOINT MEMORIAL
11 REQUESTING THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO
12 STUDY THE FUNDING OF CAPITAL IMPROVEMENTS FOR CHARTER SCHOOLS
13 AND OTHER PUBLIC SCHOOLS AND TO MAKE RECOMMENDATIONS ON
14 REFORMING THE PUBLIC SCHOOL CAPITAL OUTLAY PROCESS.
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16 WHEREAS, the current system of public school capital
17 outlay funding does not provide adequate resources for capital
18 improvements for charter schools; and

19 WHEREAS, school districts and advocates of charter schools
20 have expressed to the legislature a willingness to work
21 together to seek new solutions to alleviate the lack of
22 adequate resources for public school capital outlay funding for
23 charter schools; and

24 WHEREAS, issues raised in connection with litigation
25 regarding the Zuni public school district require that any

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1 reform of public school capital outlay give due regard to
2 constitutional principles governing the fair and equitable
3 distribution of capital outlay funding to public schools,
4 including charter schools; and

5 WHEREAS, any plan for reform of public school capital
6 outlay funding must be fair and equitable to school districts
7 as a whole in addition to charter schools; and

8 WHEREAS, the public education department, the department
9 of finance and administration, the public school capital outlay
10 council and the legislature have an interest in confirming that
11 any plan for public school capital outlay reform give due
12 regard to overall funding requirements of the state;

13 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
14 STATE OF NEW MEXICO that the department of finance and
15 administration, in consultation with the public education
16 department, be requested to study the problems of adequate
17 capital outlay funding for charter schools and make
18 recommendations on systemic reforms that will make the public
19 school capital outlay process fair and equitable for charter
20 schools and other public schools; and

21 BE IT FURTHER RESOLVED that the department report its
22 findings to the public school capital outlay council and the
23 legislative finance committee by September 1, 2006, including
24 recommendations that specifically address new and alternative
25 sources of capital outlay funding for charter schools, with due

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1 regard to the needs of school districts as a whole and
2 constitutional principles of fairness and equity; and

3 BE IT FURTHER RESOLVED that the department's
4 recommendations include proposed legislation if such is found
5 to be necessary; and

6 BE IT FURTHER RESOLVED that copies of this memorial be
7 transmitted to the secretary of finance and administration, the
8 secretary of public education, the director of the public
9 school capital outlay council and the director of the
10 legislative finance committee.

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